CLASSIFICATION OFFICE DECISION

Title of publication: Yuse033mp4_thumbs_[2016.10.24_09.53.37].jpg

Other known title(s): Not stated

OFLC ref: 1601050.011

Medium: Computer Moving Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 22 March 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 22 March 2017

	Components	Running time
Timed component(s):	Not applicable	
Total running time:		

Summary of reasons for decision:

The computer image file is deemed to be objectionable because it promotes and supports the exploitation of children or young persons for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The image file consists of a series of small images taken from a video which has also been classified as objectionable (see OFLC Ref. 1601050.010). The series of images explicitly depicts a man sexually abusing a girl, who appears to be an older child or young teenager. The girl is unconscious, seemingly drugged. Because of this, the image file would be found to promote and support sexual violence under s3(2)(b) of the FVPC Act even if the subject were an adult. The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an

outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.